



South Coast Air Quality Management District

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SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED AMENDED REGULATION IX – STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES, AND PROPOSED AMENDED REGULATION X – NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD) is the Lead Agency and has prepared a Notice of Exemption for the project identified above. The proposed project is comprised of amendments to Regulation IX – Standards of Performance for New Stationary Sources, and Regulation X – National Emission Standards for Hazardous Air Pollutants. Proposed Amended Regulation IX, consists of amendments to the existing regulation by incorporating Standards of Performance for New Stationary Sources (NSPS) by reference to reflect final actions by the United States Environmental Protection Agency (U.S. EPA) in the Federal Register relative to 40 Code of Federal Regulations (CFR) Part 60. Proposed Amended Regulation X, consists of amendments to the existing regulation by incorporating National Emission Standards for Hazardous Air Pollutants (NESHAP) by reference to reflect final actions by the U.S. EPA in the Federal Register relative to 40 CFR Part 61. South Coast AQMD staff has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA.

Since the proposed project is comprised of amendments that strictly incorporate federal NSPS and NESHAP requirements by reference, it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Thus, the project is considered to be exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. The proposed amendments to Regulations IX and X are also categorically exempt because they are considered actions to protect or enhance the environment pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment. Further, South Coast AQMD staff has determined that there is no substantial evidence indicating that any of the exceptions to the categorical exemptions apply to the proposed project pursuant to CEQA Guidelines Section 15300.2 – Exceptions. Therefore, the proposed project is exempt from CEQA. A Notice of Exemption will be prepared pursuant to CEQA Guidelines Section 15062 – Notice of Exemption. If the project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties.

Any questions regarding this Notice of Exemption should be directed to Ryan Bañuelos (c/o Planning, Rule Development and Area Sources) at the above address. Mr. Bañuelos can also be reached at (909) 396-3479. Ms. Pham is also available at (909) 396-3299 to answer any questions regarding Proposed Amended Regulations IX and X.

Date: May 17, 2019

Signature: 

Barbara Radlein
Program Supervisor, CEQA
Planning, Rules, and Area Sources

